

Adopt Agr 2700, previously eff. 7/1/98 (Doc. #6785) and expired 7/1/06, to read as follows:

CHAPTER Agr 2700 DOCKING TAILS OF HORSES

Statutory Authority: RSA 644:8-b

PART Agr 2701 MAKING AND GRANTING REQUESTS FOR DOCKING TAILS OF HORSES

Agr 2701.01 Making Requests.

(a) Requests to dock the tails of horses shall be made by New Hampshire licensed veterinarians only to the state veterinarian.

(b) Requests shall include the following information:

- (1) Owner's name and address; and
- (2) Horse's name, breed, sex, age and description.

Agr 2701.02 Granting Requests.

(a) Requests for docking tails shall only be granted for the following reasons:

- (1) Medical necessity, except that the veterinarian shall dock the tail and inform the state veterinarian as soon as practicable; or
- (2) The horse shall be used for drafting purposes thereafter.

CHAPTER Agr 2700 DOCKING TAILS OF HORSES
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Agr 2700

State Statute

RSA 644:8-b

Adopt Agr 2600, previously eff. 8/21/98 (Doc. #6831), and expired 8/21/06 to read as follows:

CHAPTER Agr 2600 LIVESTOCK EVENTS

Statutory Authority: RSA 436:90

PART Agr 2601 ADMINISTRATIVE HEARINGS

Agr 2601.01 Statement of Purpose. The purpose of this rule is to provide direction from the commissioner of agriculture, markets and food on how to set up and run administrative hearings on defendants charged with violation of doping or stimulating in livestock events and describes the drug administration responsibility.

Agr 2601.02 Definitions.

(a) "Agent" means anyone who is authorized by the commissioner to collect samples of blood, urine or saliva and to fill out official documents pertaining to the collection and to safely seal, store and forward said samples to a designated laboratory for analysis.

(b) "Appliance" means a piece of equipment, instrument or device designated for a particular use to aid in the outcome of a livestock event, such as electronic shockers for stimulation, blankets on hot days for excess weight loss, whips or any sharp objects concealed or visible.

(c) "Commissioner" means the commissioner of agriculture, markets and food or his designee.

(d) "Days" mean Monday through Friday, except state and federal holidays.

(e) "Defendant" means any person charged with violating any of the provisions of the subdivision RSA 436:86-91 or violating an administrative rule(s).

(f) "Drug" means any chemical compound that may be used on or administered to humans or animals as an aid in the diagnosis, treatment or prevention of disease or other abnormal condition, for the relief of pain or suffering, or to control or improve any physiologic or pathologic condition.

(g) "Livestock event" means livestock event as defined in RSA 436:86, I(a).

(h) "Owner" means owner as defined in RSA 436:86, I(c).

(I) "Person" means person as defined in RSA 436:86, I(b).

(j) "Presiding officer" means that individual to whom the commissioner has delegated the authority to preside over a proceeding, if any; otherwise it means the commissioner.

(k) "Stimulant" means an agent or remedy that produces stimulation by causing tension on muscle fiber

Agr 2601.03 Notification of Drug Use

(a) The commissioner shall notify the fair association or management of the livestock event in writing when a positive test of an illegal drug is determined.

(b) The commissioner shall charge any person and/or owner whose animal(s) was found with drugs, stimulants or appliance with an administrative complaint.

(c) A complaint shall constitute notice of the violation and contain the following:

(1) Defendant's name and address;

(2) Description of animal or animals found with the drug, stimulant or appliance;

(3) Name of the drug, stimulant or appliance found;

(4) Name of the agent who collected the sample that was tested;

(5) Time, date and location of alleged violation;

(6) Indication of the fine and time of ineligibility to compete in livestock events; and

(7) Notice of a right to an administrative hearing.

PART Agr 2602 DRUG ADMINISTRATION RESPONSIBILITY

Agr 2602.01 Disclosure of Drugs, Stimulants or Appliances. For the purpose of administrative hearings only, whenever the test(s) or investigation reveals the presence in any livestock of any drug, stimulant or appliance whatsoever, it shall be presumed that the same was administered by the owner of such livestock, whether actually administered by the owner personally or any person on his behalf, with the intent thereby to affect the performance or condition of such animal and the result of the contest in which it participated. The owner shall be responsible for the condition of the animal(s) entered by him/her in a livestock event regardless of the acts of a third party.

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Agr 2600

State Statute

RSA 436:86-90

(Specific provisions implementing specific statutes are listed below.)

Agr 2601.02

RSA 436:86

Agr 2601.03

RSA 436:88-a

Agr 2602

RSA 436:86-1(c)

Readopt Agr 3100, eff. 12/24/98 (Doc. #6922) to read as follows:

CHAPTER Agr 3100 WOLF HYBRIDS

Statutory Authority: RSA 466:A-4, 466-A:5-a

PART Agr 3101 AFFIDAVIT OF AWARENESS

Agr 3101.01 Affidavit.

(a) A veterinarian administering the rabies vaccination, as required by RSA 436:100, shall have the owner of the wolf hybrid sign an affidavit in the presence of the veterinarian indicating awareness that:

(1) The use of the canine-approved on wolf hybrids is experimental; and

(2) Pursuant to RSA 446-A:4 the veterinarian administering the vaccine and the manufacturer of the vaccine shall not be held liable in the event the wolf hybrid contracts rabies.

(b) The affidavit shall be maintained on file by the veterinarian for the length of the time of the immunization.

PART Agr 3102 CONFINEMENT AND CONTROL

Agr 3102.01 Confinement Area.

(a) When outside and not in the physical control of the owner, wolf hybrids shall be confined by a chain link fence a minimum of 8 feet in height and anchored at the base to prevent escape underneath. The gate or door shall be secured in a manner to prevent escape or entrance of children.

(b) The confinement area shall be constructed to eliminate excess precipitation quickly.

(c) The confinement area shall be cleaned daily of excrement and any foreign material.

Agr 3102.02 Shelter.

(a) Wolf hybrids kept outdoors shall be provided with access to shelter to allow them to remain dry during rain or snow.

(b) Sufficient shade shall be provided to allow all wolf hybrids to protect themselves from direct rays of the sun.

CHAPTER Agr 3100 WOLF HYBRIDS

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Agr 3101

Agr 3102

State Statute

RSA 436:100 & RSA 446-A:4

RSA 466-A:5

